

STATE OF INDIANA) IN THE ST. JOSEPH SUPERIOR/CIRCUIT COURT
)) SS:
ST. JOSEPH COUNTY) CAUSE NO: 71D05-2009-CT-000346

LISA DOUGLASS)
2614 York Road)
South Bend, IN 46614,)
)
Plaintiff,)
)
v.)
)
MENARD, INC.)
c/o The Prentice-Hall Corporation System, Inc.)
135 N. Pennsylvania St., Ste. 1610)
Indianapolis, IN 46204,)
)
Defendant.)

COMPLAINT FOR DAMAGES

Comes now the Plaintiff, Lisa Douglass, and for her claim for relief, states the following:

1. On or about the 11th day of July, 2020, the Plaintiff, Lisa Douglass, was on the premises of the Defendant, Menard, Inc., when she slipped and fell as a result of the negligence of the Defendant.
2. The Defendant was negligent in that it failed to maintain the premises and/or warn the plaintiff of a dangerous and/or hazardous condition.
3. As a direct and proximate result of the carelessness and negligence of the Defendant, the Plaintiff sustained personal injuries, the effects of which may be permanent and lasting; has incurred hospital, doctor and medical expenses and may continue to incur hospital, doctor and medical expenses in the future; has incurred pain and suffering and may continue to incur pain and suffering in the future, all of which damages are in an amount yet uncertain.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will reasonably compensate her for the injuries and damages sustained, for the costs of this action and for all other just and proper relief.



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The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS Lisa Douglass		DEFENDANTS Menard, Inc.	
(b) County of Residence of First Listed Plaintiff <u>St. Joseph County</u> <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small>		County of Residence of First Listed Defendant <u>Eau Claire County, IN</u> <small>(IN U.S. PLAINTIFF CASES ONLY)</small>	
(c) Attorneys (<i>firm Name, Address, and Telephone Number</i>) Daniel H. Pfeifer, Peter Hamann, PFEIFER MORGAN & N STESIAK, 53600 North Ironwood Drive, South Bend, IN 46635		NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (<i>if Known</i>) Jennifer E. Davis, Garan Lucow, Miller, 8585 Broadway, Ste. 480, Merrillville, IN 46410	
II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i>		III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i>	
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>	Citizen of This State <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4
<input type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	Citizen of Another State <input type="checkbox"/> 2	PTF <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3 Foreign Nation <input type="checkbox"/> 6
IV. NATURE OF SUIT <i>(Place an "X" in One Box Only)</i>			
CONTRACT		TORTS	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans <i>(Excludes Veterans)</i> <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise		PERSONAL INJURY	
<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice		PERSONAL INJURY	
<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education		FORFEITURE/PENALTY	
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	
REAL PROPERTY		CIVIL RIGHTS	
<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education		PRISONER PETITIONS	
<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education		Habeas Corpus: <input type="checkbox"/> 465 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	
V. ORIGIN <i>(Place an "X" in One Box Only)</i>		BANKRUPTCY	
<input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court		<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	
<input type="checkbox"/> 3 Remanded from Appellate Court		PROPERTY RIGHTS	
<input type="checkbox"/> 4 Reinstated or Reopened		<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	
<input type="checkbox"/> 5 Transferred from Another District <i>(specify)</i>		LABOR	
<input type="checkbox"/> 6 Multidistrict Litigation		SOCIAL SECURITY	
		<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	
		FEDERAL TAX SUITS	
		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
VI. CAUSE OF ACTION		Cite the U.S. Civil Statute under which you are filing <i>(Do not cite jurisdictional statutes unless diversity)</i> : <u>28 USC 1332(a)(1) and 1332(b), 28 USC 1441 and 1446(b)</u> Brief description of cause: Plaintiff alleges she slipped and fell at Defendant's premises due to Defendant's negligence and was hurt.	
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P	DEMANDS
VIII. RELATED CASE(S) IF ANY		<i>(See instructions):</i> JUDGE N/A DOCKET NUMBER _____	
DATE 10/21/2020		SIGNATURE OF ATTORNEY OF RECORD /s/ Jennifer E. Davis	
FOR OFFICE USE ONLY		RECEIPT # AMOUNT APPLYING IFFP JUDGE MAG. JUDGE	